

raised the following issues:

1. Engineering percolation tests in support of the proposed system of disposal do not correctly indicate the characteristics and capability of the proposed leaching field.

2. A high probability exists that the quantity of wastewater proposed to be discharged, together with the design of the proposed system and the geology of the leaching field and down gradient areas, will result in entry of inadequately treated effluent into Toro Creek, thereby violating an express prohibition against such entry contained in Order No. 74-75.

3. Such effluent may "puddle" in Toro Creek, thereby violating express prohibitions against public contact with the effluent, against creation of a nuisance and against causing pollution.

Order No. 74-75 provided that upon approval by the California Public Utilities Commission the discharger was to commence and complete construction of an interceptor to the treatment facilities of Salinas Utilities System.

On July 23, 1974, the Public Utilities Commission approved construction of the interceptor. On September 24, 1974, construction was completed and hookup to the system was accomplished on November 1, 1974. On November 8, 1974, the Regional Board rescinded Order No. 74-75. The septic tank and leaching field systems were never constructed and no discharge occurred.

The State Board accepted the petition for review without a hearing. A period for filing written comments was noticed.

Because of the temporary septic tank and leaching field system was never constructed, and hookup to Salinas Utilities System has been accomplished and Order No. 74-75 has been rescinded by the Regional Board, the question of appropriateness or propriety of the action of the Regional Board in adopting Order No. 74-75 has become moot.

THEREFORE IT IS ORDERED that the petition of San Benancio Citizens Association be dismissed.

Dated: January 16, 1975

/s/ W. W. Adams
W. W. Adams, Chairman

/s/ Ronald B. Robie
Ronald B. Robie, Vice Chairman

/s/ Roy E. Dodson
Roy E. Dodson, Member

/s/ Mrs. Carl H. Auer
Mrs. Carl H. (Jean) Auer, Member

/s/ W. Don Maughan
W. Don Maughan, Member